App F IX—4 —— 1955 58 (En)

Previous References

File No 78 55

Serial Nos 1, 2, 3, 4

Later References

MYSORE GOVERNMENT SECRETARIAT

Serial Nos 4

P-50
E

Part B for May 1956.

SUBJECT

Mrs appropriation of Municipal Money
in Ullangal Shanbhogue & Bango
City Municipality ——

WD 05150—GPB—35,000—24 8 56

L 3097-111 18.5.56.

The D.P.I
" Commissioner C.C.B. (Thro
" Secretary P.S.C. (Thro Ed
" District Educational
City District Boa
" C.S.
Orders thereon of the Hon'ble

QV
27/9/56

1765/Genl (51) 5831/C

From the Municipal Comr Bangalore city

A1- 274-45, dated 18-2-46

C916/11/3

Brings to notice of Govt a case of misappropriation of municipal money by one H Ullangaiah, C absconding) Shambhogue of the Bangalore city Municipality

1) The report does not mention about the exact amount misappropriated by the above Shambhogue

2) A draft calling for further report is put up

3) Impersonal letter

4) Issue

5) Despatch

To the Municipal Comr Bangalore

A9277, dated 13-3-46

calls for further report

TYPING SECTION
12 MAR 1946
GEN & REV SECTT

75-345 5831

From the Municipal Commr Delhi
A1 274-45, dt 15-4-46

states that the total amount misappropriated by Nanuchand Shambhoone was Rs 177-3-0 and that the accounts and receipts maintained by the Shambhoone are still under audit and that a further report would be made after the audit is completed

10-33
13/5

2) Though the misappropriation took place in January, 1946, it is stated that the accounts are still being audited

The 10/5

3) The amount misappropriated as disclosed so far is stated to be Rs 177/3/- The receipt of further promised report will be awaited - Postal Supdt Rewari for 11/5/46

Issues for Ed 1944

4) 13/5

13 5 46
No 6971

14/5/46

14/5

14/5/46

5831
L

10) Subd with another draft DO reminder (3)

ML 465-3

14/2/47

11) → Issue advice

for 17/2/47

TYPING SECTION
17 FEB 1947
CH CTT

Issued as No L 11465 of 17-2-47
to the ML Comm Bangalore &c-

Letter No A 1-274/45-46 dated the 15-th December 1948 from the Municipal Commr, Bangalore City stating that Revenue Officer of the City has been directed report the result of prosecution case pending against the Shanbhogue and that further report will be made on receipt of the required report—

12) Submitted for perusal Thus is pending for the 2 years

13) further proceedings will have to be awaited pl keep

for visits for 5/1/49

14) A short letter is sent to the Asst Commr instructed by Asst Secy

15) A further Comm by Asst Secy received from the ML Comr, Please ack— on the 18th with pl papers

for 1/1/49

MC 5047 / J 465 (4) } Mis appropriation of Municipal money by one M Gillangrah Shanbhogue, Bangalore City Mlly

Letter No A 1-274/45-46 dated the 5th January 1944 from the Municipal Commissioner, Bangalore City forwarding a copy of the Revenue Officer's report on the subject

(Encl 1)

1(a) Submitted for perusal

The Shanbhogue is stated to have been arrested & the Officer

2) 13.1 Wg P. 181-189 17) It is reported that the Shanbhogue who had misappropriated the amount was prosecuted by being subjected to varying terms of imprisonment

20) P Echlin 21/1/49

18) Further action has to be taken to recover the money defalcated by him. It is not also known whether any security was taken from him at the time of his appointment or later on. Necessary will be asked to pursue the matter further

Read 21/1/49 Dr 21/1

THE MINISTER FOR CITY MUNICIPALITIES AND MUZRAI No 3054 Dt 18-1-1949

19) Secretariat Clerk to submit. For perusal Dr 17/1/49 Dr 17/1/49

(15)

22) Submitted with a draft letter for approval

23) Issued

22) Issued as No 8666 dt 31-1-49

24) Whether a reminder may be sent for orders

25) Please send a reminder

26) Do reminder may be sent for approval

27) Done

The reminder, copy of the letter No L 8483/09 dt 25 Dec reminder sent

Done The reminder, copy of the letter No A-1274/45-46 dated 9.2.50 from the Information called for

1 b)

6139
ne

Misappropriation of Municipal Moneys by one Sri M Venkatarayappa, Shanbhogue, Bangalore City Municipality

28) It is stated that the Shanbhogue Sri M Ullangiah, had not furnished any Security at the time of his appointment It is also stated that further investigation is being made by the Revenue officer.

29) The report of the Revenue officer is in process

Hag 1)

Sec A 3/4/15 Subd 2/4/15 HM 29/3/15

Sec A 29/3/15

30) Submitted for approval

DS 28/3 Dna 29/3

31) Issued ns 30/3

The Commissioner Corporation of the City of Bangalore

L 2040/15 4 6 51

Reminder

Sec A 5/6

1745/ms

(17)

Misappropriation of municipal money by one Sri N Ellangovan Chairman

From

The Collector, Corporation of Bombay
No A1-2741/45-46 Dt 7.6.51

Requisites as at-section Report

32) Further Report will be awaited.

Rec 17/6/51

33) Yes

8/6

Sri D
20/6

Reminder

Reminder No L 5463 Dt 6-8-53 Copies

Delay 4 days

11/11/52

34) Reminder is put up for approval

Cons

Consolidated D O R No L/7233-6 Dt 23-3-54

L/3252 Dt 24-6-54

L/5962 Dt 18-8-54

From

The Commissioner Corp

Letter No A1 1904/53 Sh Dt 28-7-54

States that the reference may be closed

35)

It is stated that

Sri N Ellangovan, Chairman, Corporation, misappropriated municipal funds to his account Rs 177-3-0. He was convicted for his offence

(1)

17457 32 82 /me
51 - 54

Misappropriation of Capmation funds by Sri Wangiah

and sentenced to undergo simple imprisonment for 15 days and to pay a fine of Rs 50/- & is also asked that a sum of Rs 150 out of Rs 177-30 misappropriated by him, a sum of Rs 150/- has been recovered by instalment of Rs 5/ P.M and the balance will be recovered similarly. In the circumstances, the Commissioner requests to treat the matter as closed — for Govt's and orders

30/8/54 Sec 36) An Official who is convicted of an offence by a criminal court cannot be employed in Govt service once again. The file is referred to the Education secretariat to intimate whether the Basic Training school is a Govt institution & whether the teacher had intimated the authorities about his previous conviction

Asst secy Edn 6/9

Sri M D 37) The Basic Training School at Vidyanagar is a Govt Institution. As regards the second

MYSORE GOVT SECRETARIAT 11 NOV 1954 PARTMT

MYSORE GOVT SECRETARIAT 1 SEP 1954 EDUCATION BRANCH

MYSORE GOVT SECRETARIAT 3288 7 SEP 1954 EDUCATION BRANCH

Mis-appropriation of Corporation funds by one Ullangaiah 3288/E/54 3282/Rd (9)

Point no information is available in this Branch The DPI may be asked to furnish the information

38) Dars may be returned to the Municipal Branch for taking further action

17/9/54 1829

Asst Secy PCS Pos 39) PO 20/9

MCPO

MYSORE GOVERNMENT SECRETARIAT I C- 2115 21 SEP 1954 MUNICIPAL BRANCH

40) for orders whether the D-P2 may be cautioned unofficially, as suggested Dr 23/9 Cp 24/9 Dr 25/9 Cp 91) U O No L-174 forwarded unofficially to the Director of Public Instruction for favour of remarks whether Sri Ullangaiah is employed in the Basic training School at Vidyaranyapur

Forseen by Asst Secy 24/9/54

42) U.O. No 93 of 54-55 Dated 8th November '54. 11-11-54

Returned with the information that Sri M Ullangaiah, is working as a Master in the Basic School, Bandahodigahalli, Devanahalli Taluk, with effect from 10-10-1952

12111-

(J B MALLARADHYA)
DIRECTOR OF PUBLIC INSTRUCTION

9.11.54

8/11 9/4

3282 Inl

Misappropriation of Co-operative funds by Sri Hiriyanna

112) For orders in this reference
to Para 41 supra
15/11/52 16/11

44) Sri H S
Pl bring to
the Manual of Govt
Circulars & Standing
orders
2/11

45) The file was taken in person and received instructions. A reference may be made to General Circulars and Standing orders regarding the provision made about the misappropriation cases. The opinion furnished in the case of one Sri Ranganathan, Mysoreist Mlty also may be extracted in extenso

46) Sri Venugopalan file
Receipt D No 260/Inl (CR 52-54-19) is
not readily traceable the case worker
Diary shows it as Dep and Branch
Diary (B) on 15-10-54 A search was also
made for it back from the Standing
Cases Investigator employing the Assistant.
Hence is 'also put up for orders.
6/11/15
Mrs S/1

3282/one

Misappropriation of Corporation funds by an Manager

Extract from Article 239 page 80 of General Circulars and Standing orders

239 RE EMPLOYMENT OF DISMISSED OFFICIALS - In cases of dismissal, on the other hand, the effect of the order should be to preclude the dismissed officer from being reemployed As a precaution against the inadvertent reemployment of men who may have been dismissed, officers should ascertain whether an applicant for th the post has been in Government service before, and should refer to his previous employer, if the circumstances connected with his discharge are not clear The applicant should be required to produce a copy of his character book or other record of service, and a person who succeeds in obtaining employment by the concealment of his antecedents would obviously merit dismissal on the true facts being discovered The sanction of Government is always necessary to the reemployment of persons dismissed 2

1) In view of this rule, the employment of an Manager seems to be irregular, If he has been appointed by Govt, then his continuance as teacher can be allowed However it is for orders Whether the matter may be dropped

Seen Sdy

Please speak

Sdy

Sdy

2) No disciplinary action can be taken against Govt servants The DPI has to explain why This Court was not informed His further remarks are necessary before orders are passed after consulting the Law Officer in the R&PS Dept

Sdy

3) The DPI may please be advised

Sdy

Sdy

7558/55

22) If approved the D.P.I will be consulted orally as was done on the previous occasion.

15/2/55

15/2

51) D.P.I may be consulted in the matter orally

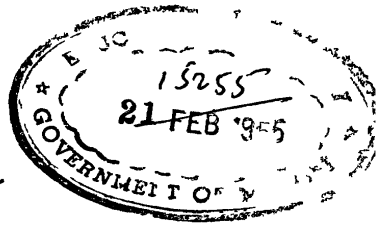
(Edn. Secy)

19/2

52)

28/2/55

1/3



10 no F 526/54-55 D 10/3/1955

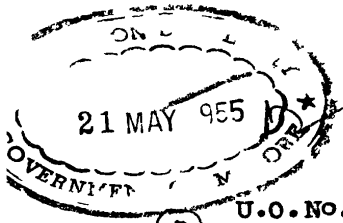
53) Forwarded to the Director of Public Instruction Mysore Bangalore for favour of furnishing his further remarks with reference to para 48 of the notes

11/3

9/3

for Secretary to Govt Education H & S Deptts

14/3/55



U.O.No.142 of 54-55. Dated - 20-5-55

(54)

RETURNED.

Sri M.Ullangaian, Master, Bandahodigahalli, Devanahalli Taluk was appointed as Assistant Master, Primary Boys' school,

(continued on next page)

Misappropriation of Municipal money by Sri M Ranganath

7558/E

Cholanaikanahalli, Bangalore North Taluk in Memo No. E1.454-89/45-46 dated 16-8-1946 of the office of the District Educational Officer, City District as per his rank in the Public Service Commission list - vide Notification No 6415/P S.C.3-45-43 dated 21-12-45. The District Educational Officer, City District, Bangalore, reports that no information is available in his office as regards the dismissal of the official by the Corporation. Whether the Corporation authorities had intimated the dismissal of the official or not, is also doubtful since the Education District of Bangalore City was not in existence during 1944.

(N S HIRANNAYYA)
DIRECTOR OF PUBLIC INSTRUCTION.

16/5/55

53) The above remarks of the D.P.I is for perusal This may be returned to the Municipal Branch for further action

21/5/55.

56) for f.o perusal before transferring file to the Municipal Dept

Edn Secy 57) 24/5

Supdt Mel 29/5

27/5

SECRETARY 25 MAY 1955 GOVT OF MYSORE

MYSORE GOVT SECRETARIAT 23 MAY 1955 MUNICIPAL BRANCH

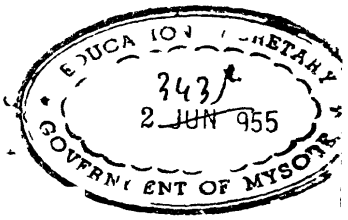
3289/51

Misappropriation of Corporation funds by Sri Illangiah

58) For orders with reference to Para 48 above

59)

60)



61) A summary of the case is as follows —

Sri Illangaiah, Standbogue Corporation Office, misappropriated Rs 177-3-0 during 1946 A Police Complaint was lodged He was convicted and sentenced to undergo simple imprisonment for 15 days and to pay a fine of Rs 50 one after Government enquired what action has been taken to recover the defalcated money It is reported that a sum of Rs 150/2 has been recovered by instalment of Rs 5/pm and the balance of Rs 27-3-0 will be recovered in the usual course

Pages 5 Page 19

Page 10 Orig A Page 18

Page 13

Page 21

62) The Commissioner has stated in his report dated 28-7-54 that Sri Illangiah has been employed as a teacher in the Basic Training School, Vidyanagar

Page 21

Misappropriation of Corporation funds by Sri Illangiah

[App F-III-2

General and Revenue Secretariat | 3282/ME File No | of 19 | (15)

	Serial No	
Rule 239 of standing orders Para 42 of rules Para 48 of rules		As per standing orders no dismissed official can be re-employed without sanction of Govt but Sri Illangiah has been appointed from ~~10-10-6~~ 1946 the D.P.I was asked why he was employed without sanction of Govt the D.D.I is of opinion that he was appointed as Asst Master, Primary boys School as per memo dated 16-8-46 of the office of the District Educational Officer, Civil District, as per his remark in the P.S.C list ~~dated~~ (note/cadre No 6413/P.S.C 3-45-43 dated 21-12-45) and that the District Educational Office has no information of his dismissal
Para 52 of rules vide Page 1	63	Sri Illangiah was ~~temporary~~ temporarily appointed in the Municipality he as his name was in the P.S.C list & has been appointed as teacher It is for consideration whether the Commissioner can ~~has notified his dismissal~~ may be asked to state whether his dismissal has been notified or intimated to the Heads of Departments Ref Para 60 supra
	64	64) Whether it is notified or not, the reemployment was irregular 2/6 2/6 Secy (Edn)

EDUCATION 1593 27 JUN 955 GOVERNMENT OF MYSORE

Note —Contn Sheet

Misappropriation & unauthorised drawing by Sri Illangesh

3282/Ind File No of 19 | General and Revenue Secretariat

Serial No

65) All right Point Can it be entertained had for merits Examine -

B
27/6/57
Regd

66) Sri Illangesh has been appointed as per PSC list prepared by the PSC His Removal from Service on the grounds for this Correspondence matter requires Previous Consultation of PSC, as required by Rules 11 and 12 of the PSC Rules of 1953 for orders

No E/16959-170/59/
R&PS 36-52-4
of 27-3-53
Reg R

6/
2/7
Mes/7-67) After taking the opinion of the Public Service Commission Special Sanction of Govt is necessary to re-employ a dismissed official Of appd. PSC will be consulted

All
9/7/57

Secy Edn & Lab) 68) For kind
Chief Secy) 68) 11/7/57
Govn Secy) 69) 12/7/57

EDUCATION SECTT DIARY
5405
12 JUL 1957
GOVT
CHIEF SECRETARY
20 JUL 1957
5730
ROLL OF MINUTES

21 JUL
Record

VD 06820-GPB- 25 000—26 7 49

Misc Proceedings of Municipal Commissioner Sri Ullangiah
— Confidential —

Mysore Government Secretariat | File No 3282/Conf of 1954-55 | [App F III 2 17 12

Serial No 70

54-55 ONL 96 / Dated 26-7-55

Forwarded unofficially to the Secretary Public Service Commission Mysore Block for favour (71) of opinion whether the official may be continued in Service

231/55?

Hanumanthappa
for Secretary Home & Tourism Dept

1884

OFFICE OF THE MYSORE PUBLIC SERVICE COMMISSION
27 JUL 1955
No. 305-124
SPECIAL BRANCH

Immediate

U.O Note No.S 124/55-56/P S C Dated 10-8-1955.

71) Returned for favour of retransmission with the following information

1) Whether the Shanbogue Sri Ullangiah was dismissed or removed from service by the Corporation,

2) A copy of the order passed in this behalf

EDUCATION
11 AUG 5
GOVERNMENT

12/8

Devaraj 10/8

(S Devaraj)
SECRETARY,
PUBLIC SERVICE COMMISSION

TN/10-8)

72) Submitted for orders with a draft calling for the above information

12/8
Mys 22/8

73) Issue

To the Commissioner C&D
Mys L 6 427/CR 78 53-2 dt 31-8-53
Calls for a C/L & Stn Offs

8/9/55

NOTE Contn sheet

3282/III] 4769/55-56

Misappropriation of Municipal money

File No by Sri Ullangiah, Mysore Government Secretariat

Serial

Letter No. A1-1940/55-56 dated 4/10/55 from the Commissioner, Corporation of the City of Bldre in the matter.

74) The letter dated 4-10-55 (Page 24) of the Commr, C.C.B. is submitted for favour of information. A copy of the same will be sent to the P.S.C. for information with reference to the note in Para 71 ante. Letter & enclosures returned herewith. Rec'd 24/10

U 07101 201/D129-X-55

75) Forwarded unofficially to the Secretary, Public Service Commission with the letter dated 4-10-55 of the Commr, Bangalore Corporation, with reference to Para 71 of the note.

4684 V 31(c)

OFFICE OF THE MYSORE PUBLIC SERVICE COMN
31 OCT 1955
No S 3435
SPECIAL BRANCH

U O S 239
S C C

28/10

To Secretary to Govt Edn & Trg Depts

76) U O No 349/55-56 P S C 26-55-120 dated March 1956.

Returned

Sri V K S

F No S 26-55-22

The Commission is of opinion that, as Sri Ullangiah, has been convicted in a criminal case, he is not fit to be continued in service and that his services may be terminated forthwith

EDUCATION DEPT
21 MAR 1956

(S Devaraj)
SECRETARY,
PUBLIC SERVICE COMMISSION

MR/20-3

D 07074—GIP—80 CCC—5 10 54

Mysore Government Secretariat

Misappropriation of Municipal money by Sri Nllangiah

605/8164/ml File No of 195

[App F III 2

19

75587E

Serial No

X para 71

11) Subd for orders in the light of the observations of the Public Service Commission as above - now reference to paras (64) to (71) supra

Sd 23/3/56

Ms 26/3

9 375

LOVEP T NI UF I

78) The opinion of the Public Service Commission may be accepted

Secy (Rev Dept)

TARY 330 11 APR 1956 GOVT OF MYSORE

79) may be accepted

Sd 7/4

Ministers Secy Chief Secy

Sd 10/4/56

(80) Sd 10/4

X 11/4

D 14 4 56

Sd 16/4

662 16 APR 1956

EDUCATION & L S G SECT 19 MAY 1956

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL SELF GOVERNMENT 30 APR 56 No 461

(81) Sd 28/4/56

D 1 5 56

Sd 9/5

please submit draft go Ms 9/5

(82) draft letter is put up for appr

Sd 9/5/56

draft Go is put up for appr

Sd 10/5/56

Typed Go is put up Sd 12/5/56

Issue Sd 12/5

For communication through Edn Sect. Ms 14/5

Sd 14/5

Note—Contn Sheet

File No 8164/Mel of 195

Mysore Government Secretariat

Serial No

7558/2

Memo put up on two copies of the Gr O for being communicated to Secy. P S C

16/5

Issue 16/5

Lr 2 2764/RTPS dt 14/5/56 Communicated to Secy PSC may be returned to ml Por

16/5

Subject Ml Br 18/5

M. 25/6

Lr 13097-111/EM 78 55 4 dated 14/5-56 from the P S C, 2) Commr of Mysore the Mayor 3) Secy PSC Govt Secl 4) DEO Bangalore 5) Controller SAD

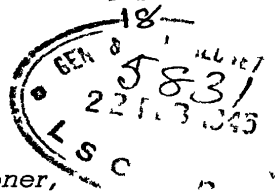
Orders communicated by the official for information

B 27/6/56 Ml

No A1 274-45

CITY MUNICIPAL OFFICES (1)

Bangalore dated 15th Feb 1946



FROM

SAFI DARASHAH, ESQ, B A
Municipal Commissioner,
Bangalore City

To,

J B Nallaradhya, Esq, M A,
Secretary to the Government of Mysore,
Revenue Department, Bangalore

Re Mis-appropriation of Municipal money by M Ullangaiah (absconding) Shanbhogue of Bangalore City Municipality

---

SIR,

I have the honour to state that the Revenue Officer has reported that M Ullangaiah, who had been temporarily appointed as Shanbhogue in this Municipality, was absent from duty from 14-1-1946 and was subsequently found to be absconding, that one stamped receipt book given to his custody was found missing, and that one un-stamped receipt book, one ~~had~~ book and one baki-patti were traced through the help of the Malleswaram Police in the house of one Mariappa, Carpenter in Jakkasandra village, Malleswaram where this Shanbogue was residing It is further stated that receipts bearing Nos 44 and 45 in the unstamped receipt book (the counterfoils) have been removed and that the amount of Rs 6-9-0 in respect of receipt No 84 has not been remitted to the treasury The exact amount misappropriated by the said Shanbhogue is not known at present

2 Notification regarding the loss of the stamped receipt book has been sent to the Compiler, Mysore Gazette and the Editors of local papers for publication The Revenue Officer has been directed to get the accounts maintained by this Shanbhogue audited thoroughly and submit a report A Police complaint also has been lodged,

A further report will be made to Government in the matter on receipt of the report from the Revenue Officer

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

hsr/-

Forwarded with compliments.

Honorary President

Immediate

(B)

No. 9272
13/3/46

To The Municipal Commr
Bangalore City

Subj - Misappropriation of municipal money by one M Thangavelu Shanbhogue Bangalore City Municipality -

Sir,

With reference to your letter No A1-274/45 dated 18-2-46 on the above subject, I am directed to enquire whether the accounts maintained by the above Shanbhogue have since

been got audited thoroughly and if so,

(4) the exact amount of municipal money defalcated by him and steps taken to recover the same may be reported within five days.

Yours truly
[illegible]
Town Clerk
11/5

No Al 274-45

CITY MUNICIPAL OFFICES,

Bangalore dated 17th April 1946

FROM

SAFI DARASHAH, ESQ., B A
Municipal Commissioner
Bangalore City

T B Mallaradhya, Esq., M A,
Secretary to the Government of Mysore,
Revenue Department, Bangalore

Sub - Misappropriation of Municipal money by one M Ullangaiah, Shanbhogue, Bangalore City Municipality

---

SIR,

With reference to your letter No L 9272 dated 13th March 1946 on the above subject, I have the honour to state that a notification requiring those rate-payers who had paid taxes and had obtained receipts in unstamped receipt book No 8242 and stamped Receipt Book No 6517 (which were in the custody of the absconding shanbhogue) to produce the receipts before this office for verification (as to whether the money paid by them had been misappropriated) was published in the local papers on 26-2-1946 Till now no receipt has been produced in this office in response to the said notification It is reported by the Revenue Officer tha the Tax Inspector of the Division made door to door enquiries and was able to procure receipt No 82/6517 for Rs 170-10-0 and that this amount has not been credited to the Municipal Treasury Including the sum of Rs 6-9-0 referred to in this office letter dated 18-2-1946, the total amount misappropriated may be stated to be Rs 177-3-0 The accounts and the Receipt Books maintained by the said Shanbhogue are still under audit A further report will be submitted to Government after the audit is completed

p t o

2 No information has been received from the police authorities as to the stage at which the matter stands in spite of four reminders issued They will be again reminde and furtner action taken on receipt of reply from them

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

hsr/-

Municipal Commissioner

Honorary President

BANGALORE CITY MUNICIPALITY

No A1-274/45-46

Municipal Office,
Bangalore City

Encl

Dated 15th December *1948*

From

Janab A S KHALEEL, B A , B L ,
~~SARKUNARASHATHX Esq~~,
Municipal Commissioner,
Bangalore City

To

Janab MOHAMED ISMAIL SHERIFF, B A ,
Secretary to the Government of Mysore,
General Department,
BANGALORE

Sir,

Subject - MISAPPROPRIATION OF MUNICIPAL MONEY BY ONE M ULLANGIAH, SHANBHOGUE, BANGALORE CITY, MUNICIPALITY

With reference to your Reminder No L 5889 dated 1-12-48 regarding the above subject, I have the honour to state that the Revenue Officer of this Municipality has been directed to report the result of prosecution case launched against the Shanbhogue and that a further report will be made on receipt of the required report

Yours faithfully,

MUNICIPAL COMMISSIONER

rs/

BANGALORE CITY MUNICIPALITY

(9)

GENERAL & REVENUE SEC. 3041 11 JAN 1949 MUNICIPAL BRANCH

No A1-274/45-46

Encl Two

MUNICIPAL OFFICES,
BANGALORE CITY

Dated 5th January 1949

FROM

Janab A S KHALEEL, B A , B L ,
~~SAFIYDARASHAH,XESQ,BAR~~
MUNICIPAL COMMISSIONER,
BANGALORE CITY

8/1/49

To

The Secretary to the Government of Mysore,
General Department,
BANGALORE

SIR,

Subject - MISAPPROPRIATION OF MUNICIPAL MONEY BY ONE M ULLANGIAH, SHANBHOGUE, BANGALORE CITY MUNICIPALITY

In continuation of this office letter No A1-274/45-46 dated 16-12-48 regarding the above subject, I have the honour to forward herewith a copy of the Revenue Officer's report intimating the result of prosecution launched against the Shanbhogue

The Municipal Advocate has been requested to obtain a copy of the decree in the matter for further needful action

Yours faithfully,

MUNICIPAL COMMISSIONER

rs/

CORPORATION OF THE CITY OF BANGALORE

No. M1.G1 229/49-50 (15) CORPORATION OFFICES,

Bangalore 24th February 1950

M E M O

Submitted to the Commissioner, Corporation of the City of Bangalore in continuation of this office memo No M1 G1 756/48-49 dated 10-9-1949

It is ascertained that Sri M Ullangiah, Ex-Shanbhogue, Bangalore City Municipality, is residing near Municipal Cattle Pound and that he is working as School Master in Bangalore It is further learnt that he is a native of Naranahalli village in Doddaballapur Taluk On enquiry it is stated that his father Sri Munidasappa is owning a house and a few acres of dry lands in the said Naranahalli village Sri Munidasappa is reported to be living in Malleswaram Further investigation is being made for verification of these facts

It is ascertained that his shanbhogue has not furnished any security at the time of his appointment

Sd/ C Annadanappa
REVENUE OFFICER

"C O P Y"

N Sa...
for COMMISSIONER

svk/-

imprisonment for 15 days and to pay a fine of Rs.50/- It is ascertained that after the period of conviction, he is working as a school master in a village I have requested the Director of Public Instruction in Mysore, Bangalore, to advise all the District Education Officers to furnish the information regarding his correct address.

2. With regard to the action taken for tracing out the missing receipt book No.6517, I am enclosing an extract from the Revenue Officer's note in the matter.

Yours faithfully,

Commissioner.

Forwarded with compliments.
R Anantaraman
MAYOR

BNR

CORPORATION OF THE CITY OF BANGALORE

No *A1-274/45-46*
Encl One extract

CORPORATION OFFICES,
BANGALORE

Dated 7th June, 1951

FROM

MIR SAFDAR HUSSAIN, Esq, B A,
COMMISSIONER, BANGALORE CORPORATION,
BANGALORE

GENERAL & REVENUE SECRETARIAT
1745
11 JUN 1951
MUNICIPAL BRANCH

TO

The Secretary to the Government of Mysore,
Local-self Government Department,
Bangalore.

SIR,

Subject: Misappropriation of municipal money by one M Ullangaiah, Shanbogue.

With reference to the correspondence ending with D.O. letter No.2040 dated the 4th June 1951, I write to state that the offender was convicted and sentenced to undergo simple imprisonment for 15 days and to pay a fine of Rs.50/- It is ascertained that after the period of conviction, he is working as a school master in a village I have requested the Director of Public Instruction in Mysore, Bangalore, to advise all the District Educational Officers to furnish the information regarding his correct address.

2 With regard to the action taken for tracing out the missing receipt book No.6517, I am enclosing an extract from the Revenue Officer's note in the matter.

Yours faithfully,

Commissioner.

Forwarded with compliments.

MAYOR

CORPORATION OF THE CITY OF BANGALORE

No. Gl 229/49-50 (15) CORPORATION OFFICES,

Bangalore 24th February 1950

MEMO

Submitted to the Commissioner, Corporation of the City of Bangalore in continuation of this office memo No Ml Gl 756/48-49 dated 10-9-1949

It is ascertained that Śri M Ullangiah, Ex-Shanbhogue, Bangalore City Municipality, is residing near Municipal Cattle Pound and that he is working as School Master in Bangalore It is further learnt that he is a native of Naranahalli village in Doddaballapur Taluk On enquiry it is stated that his father Śri Munidasappa is owning a house and a few acres of dry lands in the said Naranahalli village Śri Munidasappa is reported to be living in Malleswaram. Further investigation is being made for verification of these facts

It is ascertained that his shanbhogue has not furnished any security at the time of his appointment

Sd/ C Annadanappa
REVENUE OFFICER

"C O P Y"

N Sa...
for COMMISSIONER

svk/-

B2 C 100/48-49

C C No. 727/46-47
Dated 25-3-48

(10)

Submitted

Beg to report that I verified in I City Magistrate's Court and the particulars noted below Ullangaiah was convinced u/s 258 (cl 2) Cr P C of an offence u/s 409 I P C in respect of both the I and II charges and sentenced to undergo for 15 days and to pay a fine of Rs 50/- and in default to undergo S I for a further period of 15 days in respect of the Ist charge u/s 409 I P C And sentenced secondly (iind) to undergo S I for 15 days and to pay a find of Rs 50/- and in default to undergo S I for 15 days in respect of the IInd charges u/s 40 I P C Both the sentences to run consecutively

Sd G Venugopal
Dfr 163
6-9-1948

B2 C 100/48-9

F/w/c to Revenue Officer, City Municipality, Bangalore with the daffedar's report overleaf The judgement copy may be had from the I City Court (in C C 727/46-47)

Sd
Sub Inspector of Police,
High Grounds Police Station
Bangalore city

"COPY"

for MUNICIPAL COMMISSIONER

Ref - Misappropriation of Municipal Money by one
M Ullangiah, Shanbhogue, Bangalore City Municipality

No M1-PR 102

MEMO

Submitted to the Municipal Commissioner A reference had been made to the Sub Inspector of Police, High Ground Police Station, Bangalore City requesting to intimate the result of prosecution launched against the Shanbhogue A copy of his report is herein enclosed for favour of kind perusal and further needful ac action

For further details the Municipal advocate may be requested to obtain a copy of the judgement from the I City Court

Sd C ANNADANAPPA
Revenue Officer
City Municipality

"COPY"

MUNICIPAL COMMISSIONER

1866
31-1-49

To

The Municipal Commissioner (2)
Bangalore City
(Thro the Pdt)

Subject Misappropriation of Municipal money by one Pt Ullangesh, Shambhoguru, Bangalore City Municipality

Sir,

With reference to your letter No A1-274/46-46 dated the 5th January 1949 intimating that Pt Shambhoguru Ullangesh was convicted for the offence of misappropriation of Govt-

and sentenced to varying terms of imprisonment - Etc
I am directed to state that no further
action has been taken for recovering
the money defalcated by him
Whether any security was taken
from him at the time of his
appointment, or later on, may
be ascertained from the records
Further the matter may be pursued
further on receiving the amount
dilated & a report submitted
for your information in due course

Yours faithfully
for
27/1/49
for Secretary to Govt
Home Department
26-1-49
Dy
27/1/49

CORPORATION OF THE CITY OF BANGALORE

No A-1-274/45-46

Mir Safdar Hussain B A
COMMISSIONER

CORPORATION OFFICES
BANGALORE

Dated 9th March 1950

GENERAL & REVENUE SECRETARIAT
6139
16 MAR 1950
MUNICIPAL BRANCH

Dear Sir,

SUBJECT - Misappropriation of Municipal Money by one Sri M.Ullangiah, Shanbhogue Bangalore City Municipality

---

With reference to your D O No L 8483 dated the 9th February 1950 regarding the above subject, I write to state that it is reported by the Revenue Officer that the Shanbhogue under reference had not furnished any security at the time of his appointment and that further investigation is being made in respect of particulars so far ascertained regarding the whereabouts of the Shanbhogue

A copy of the Revenue Officer's report No M-1-Gl 2291/49-50 dated 24th February 1950 is enclosed herewith for information

Yours Sincerely

Mir Safdar Hussain

Sri L Muniswamy, B A ,
Secretary to the Government,
L S G Department,
BANGALORE

CORPORATION OF THE CITY OF BANGALORE

No Al-274/45-46
Encl. One extract

CORPORATION OFFICES,
BANGALORE

Dated 7th June, 1951

FROM

MIR SAFDAR HUSSAIN, Esq, B A,
COMMISSIONER, BANGALORE CORPORATION,
BANGALORE

GENERAL & REVENUE SECRETARIAT
1745
11 JUN 1951
MUNICIPAL BRANCH

To

The Secretary to the Government of Mysore,
Local-self Government Department,
Bangalore.

SIR,

Subject. Misappropriation of municipal money by one M Ullangaiah, Shanbogue.

With reference to the correspondence ending with D.O. letter No.2040 dated the 4th June 1951, I write to state that the offender was convicted and sentenced to undergo simple imprisonment for 15 days and to pay a fine of Rs.50/- It is ascertained that after the period of conviction, he is working as a school master in a village I have requested the Director of Public Instruction in Mysore, Bangalore, to advise all the District Education Officers to furnish the information regarding his correct address.

2 With regard to the action taken for tracing out missing receipt book No.6517, I am enclosing an extract from the Revenue Officer's note in the matter

Yours faithfully,

Commissioner.

Forwarded with compliments.

MAYOR

BNR

(19/1) 19

Extract from the Note No.M1-G1 4061/50-51/Encl,3, dated 26th March 1951, of the Revenue Officer, Corporation of the City of Bangalore, Bangalore.

X X X X X

As regards the action taken for getting the missing receipt book No 6517 (embossed receipt book), the undersigned begs to state that a notification requiring those rate-payers who had paid taxes and obtained receipts in unstamped receipt book No.8242 and stamped receipt book No.6517 to produce the said receipts before this office for verification, was published in the local newspapers on 26-2-1946 and in the official Gazette Till now no receipts were produced in response to the said notification. The concerned Tax Inspector of the Division made door to door enquiries to produce these receipts No ratepayer produced any receipt issued from book No.6517

Demand bills are being issued every year giving the details of the amounts due No ratepayer has raised any objection regarding the correctness of the demands and produced any receipts for having paid the amount The offence was committed during the early part of January 1946 A reference was also made to the Police Authorities to trace out the missing receipt books They too were not able to trace them out Since no receipts were produced by the rate-payers, it may be presumed that no further receipts had been issued by the culprit who was convicted and sentenced to undergo simple imprisonment for 15 days and to pay a fine of Rs 50/- for this offence of misappropriation.

The undersigned begs to state that in spite of every attempt to trace out the missing receipts and receipt books, it was not possible for the Corporation and Police authorities to trace them out The Shanbhogue and the Tax Inspector are changed and the present officials also tried to trace any receipt issued from book No 6517 It was not possible to find any one

In these circumstances, it is stated thatthe question of tracing missing receipts from the ordinary receipt book No 8163

CORPORATION OF THE CITY OF BANGALORE.

No A 1/1904/53-54.

CORPORATION OFFICES,
BANGALORE

Dated 28th July, 1954

FROM

THE COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE,

To

The Secretary to the Govt , of Mysore,
L S.G & Planning Departments,
Bangalore

SIR

Con 78 53 - 1

Subject - Mis-appropriation of Municipal money by one M Ullangiah, Shanbogue

---

In continuation of my letter of even number dated the 24th July 1954, I write to state that the above official after having undergone imprisonment is now employed as a Teacher in the Basic Training School, Vidyanagar, Bangalore-District Out of the amount of Rs 177-3-0 mis-appropriated by him, a sum of Rs 150/- has already been recovered by instalment of Rs 5/- per mensem This amount is being recovered through the Amildar of Devanahally The balance still due is Rs 27-3-0 which will also be recovered similarly in the usual course The matter may be treated as closed

Forwarded with compliments,

Seetha Ramaiah
(SEETHARAM, H S)
M A Y O R

Yours faithfully,

(K HANUMANTHA RAO) 28/7
COMMISSIONER

SVR/-

Appendix F G —1]

SUBJECT Misappropriation & Municipal survey U/s Illangiah

Diary No of letter replied to 3282

Mysore Government Secretariat

( )

the 195

Date of issue

Signed by

List of enclosures

Copied by

Examined by

Section GH

File No 78-53

Serial No 2

No L 6427 D 31/8/55

To

The Commissioner Corpn Bangalore

Sir

Ref your letter no A-1/1904/53-4 dated 28-7-55

with reference to the above, I am directed to enquire whether the Shanbogue Sri Illangiah was dismissed or removed from service by the Corporation & if so the Order Passed in this behalf may also be kindly sent the copy may be

Yours 248

WD 04859—GPB—40 000—22-1-54

(24) 25

CORPORATION OF THE CITY OF BANGALORE

No A 1/55-56 1904

4 OCT 1955 EDUCATION DEPT GOVT OF MYSORE

CORPORATION OFFICES,
BANGALORE

Dated 5/10 October 1955

MYSORE GOVERNMENT SECRETARIAT 4269 6 OCT 1955 MUNICIPAL BRANCH

FROM

D R CHENNARUDRAIYA B A M Sc
COMMISSIONER,
CORPORATION OF THE CITY OF ~~BANGALORE~~,
BANGALORE

To ✓ CM 78-55-3

The Secretary to the Government of Mysore,
Education and L S G Departments,
Bangalore

SIR,

Subject Misappropriation of Municipal money by Sri Ullangiah

With reference to your letter No L 6427/C M 78-55-2 dated 31-8-1955, I write to inform you that from a perusal of the file it is seen that no orders have been passed dismissing Sri Ullangiah or removing him from service

In this connection I write to state that the full amount misappropriated by him viz , Rs 177-3-0 has been recovered in monthly instalments as he was employed as a teacher in the Basic Training School, Vidyanagara, Bangalore District after having undergone imprisonment

Yours faithfully,

(D R Chennarudraiya,)
COMMISSIONER

3/10/55

TNL/1
3/10/55

(22)

No. L 6427/EM 78-55-2 dt 31/8/55

The

Education & L.S G.Departments.

To

The Commissioner, Corporation of the
City of Bangalore, thro' the Myaor.

Sir,

Subject - Misappropriation of Municipal money by Sri Ullangiah

---

Reference - Your letter No A.1 /1904/53-54 dated 28-7-1954

***

With reference to the above, I am directed to enquire whether the Shanbogue Sri Ullingiah was dismissed or removed from service by the Corporation. A copy of the order passed if any in this behalf may also be kindly sent

Yours faithfully,

M S 30/8

(M A Meccai)
For Secretary to Government,
Education & L.S.G Departments.

HGN,2 29/8.

A copy of the judgement is required & appeal time will be saved

4769
A1 1904/55-6

MYSORE PUBLIC SERVICE COMMISSION

Telegram MYSPSC
Telephone—2574
Post Box No

OFFICE OF THE
PUBLIC SERVICE COMMISSION
BALLABROOIE PALACE ROAD HIGH GROUNDS

No S 3953/55-6 P S C
Encls

Bangalore dated 16/11/1955

FROM

The Secretary,
Mysore Public Service Commission,
Bangalore

To

The Secretary to Government of Mysore,
Education and Local-Self Government
Departments, B A N G A L O R E

SIR,

Subject Misappropriation of Municipal money by Sri Ullangiah

With reference to the correspondence ending with your Un-Official reply No L 201 dated the 29th October 1955 on the above subject, I am directed to request you kindly to obtain and forward, for the information of the Commission, a copy of the Judgement convicting and Sentencing Sri Ullangiah to undergo a simple imprisonment of 15 days and to pay fine of Rs 50/-

Yours faithfully,

(S Devaraj)
SECRETARY

MR/12.11

Submitted with a draft calling for a copy of the judgement

Issue

Same Caveat cab
L. 11806 of 24-12-55
Calls for a copy of the judgement

From The Comm'r C C B Letter no A1/55-56 dated 30/1/56 forwarding a copy of Judgement.

A copy of the judgement
Remarks of appellant has will be sent

6051 5 8764/me.

Misappropriation by Dr Illangiah

to Ken Secretary P S C A memo is put up accordingly

5345

No M 323 Date 9-2-56

5214

OFFICE OF THE ASSISTANT PUBLIC SERVICE COMMISSION
11 FEB 1956
No S 5208
SPECIAL BRANCH

J 005 349 Forwarded to Ken Secretary, Mysore Bangalore in continuation of this Confidential 556

Sir, I am, etc.,

P No S 26-55-120 File No. 201 dated 29-10-55, with reference to his letter No S 3953/55-6 P S C dated 16-11-55

Assistant Secretary to Government Home Affairs Dept

M 3/2

Appendix F G —1]

SUBJECT. Disaffection & Municipal enquiry by Sri Hanumaiah

21

Diary No of letter replied to 6081

Mysore Government Secretariat

( )

the *195*

Date of issue

Signed by

List of enclosures

Copied by

Examined by

Section

File No

Serial No

No L 11806 D 21-12-55

To

The Deputy Commr Civil Judge Mysore

Sir

Ref your letter no A1 1924/55-6 dated 4-10-55 with reference to the above, I am directed to request you to be so good as to forward early a copy of the judgement Convicting and Sentencing Sri Hanumaiah to undergo simple imprisonment for 15 days and a day fine of Rs 50/- each

4/2

17/12

Minister for Law

WD 0257—GPB—P Z S —1,20 000—6 6 55

7

CORPORATION OF THE CITY OF BANGALORE

No A 1/55-56
Encl judgement copy

8164
1 FEB 1956
MUNICIPAL BRANCH

CORPORATION OFFICES,
BANGALORE
Dated 30th January 1956

FROM

THE COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE,
BANGALORE

30 JAN 1956
GOVERNMENT OF MYSORE

The Secretary to the Government of Mysore,
Education and L S G Departments,
Bangalore

SIR,

Subject Misappropriation of Municipal money by Sri Ullangiah

With reference to your letter No L 11806 dated the 21st December 1955, I forward herewith a copy of the judgement convicting and sentencing Sri Ullangiah to undergo simple imprisonment of 15 days and to pay a fine of Rs 50/-

Yours faithfully,

D R Chennarudraiya

(D R Chennarudraiya)
COMMISSIONER

TNL/1
24/1/56

28

IN THE COURT OF THE CITY MAGISTRATE, BANGALORE.

Criminal Case No.727 of 46-47.

Complainant.- Government

Versus.

Accused.- Ullangiah.

Copy of the Judgement.

Present. K Seshagiri Rau, Esq , M.A , LL.B ,
City Magistrate, Bangalore,
Date. 22-3-1948.

Judgement.

The accused is prosecuted under Section 409 I.P C It is alleged that the accused was a Shanbhogue of the Bangalore City Municipality, between 26-11-45 and 14-1-46 in that capacity collected Municipal taxes of 170-10-0 and Rupees 6-9-0 on 8-1-46 and 11-1-46 respectively and that he did not remit them into the treasury It is alleged that he thereby committed criminal breach of trust punishable under section 409 I.P.C.

2. The prosecution examined altogether 10 witnesses in their behalf before me in the De-novo trial (No witness was numbered witness) by oversight and hence the witness in the case are numbered prosecution witness 1 to 11 except prosecution witness 7) My predecessor Mr. C B Shankara Iyer after hearing the evidence of the prosecution and examining the accused framed 2 charges against him under Section 409 I.P C. and the accused pleaded not guilty At this stage the presiding Magistrate was transferred and a De-novo trial was commenced before me as claimed by the accused The charge was retained The charges are as follows -

1 That you on the 8th day of January 1946 in the noon being employed as Shanbhogue of 1 A Division by the City Municipality, Bangalore City and in that capacity received a sum of Rupees 170-10-0 tendered by prosecution witness 4 Mr Shiraji on behalf of Mrs. Thaki, being the Municipal tax in respect of Door No.13, Race course Road for the year 44-45 and 45-46 issued valid stamped receipt P-4 under your signature therefor and committed criminal

Note of the Judgment.

Date 23-3-1943

Present

Jor Plaintiff.

Jor Def.-

Jor Plaintiff

Jor Def.-

99

criminalk breach of trust with respect of the said amount of Rupees 170-10-0 entrusted to you and thereby committed an offence punishable under Section 409 of the I.P.C and within my cognizance

2. That you, on the 11th day of January 46, at about 10 A.M being employed as Shanbhogue of 1 A Division, by the Bangalore City Municipality and in such capacity received a sum of Rupees 6-9-0 tendered by prosecution witness 6, Venkatappa, being the Municipal tax from Door No.146, Anjaneya Temple Street, Mumreddipalyam as one for the half year 43-44 issued valid receipt P6 to the said Venkatappa under your signature, the same day therefor and committed criminal breach of trust, and thereby committed an offence under 409 I.P.C and within my cognizance

3. Prosecution witness 3 A S. Shirazi resides in C and M. Station He states that there is a house in Race Course Road, Bangalore City owned by Mrs. Thaki She had given the witness, a sum of Rupees 200/- with a bill to pay the Municipal tax. The witness went to the Municipal office and paid the amount of Rupees 170-10-0 and obtained receipt exhibit P4. He returned the balance and the receipt to Mrs. Thaki, Subsequently the Police came and made enquiries. On account of his age, nearly 75 years, he is not able to recognise the person to whom he paid the amount He also did not know who gave exhibit P4 to the Police.

4. Prosecution witness 10, Venkatappa, Attender in the Office of the Registrar of Joint Stock Company, states that he knows the accused. The accused was a Shanbhogue of his Division. On 11-1-46 the witness paid the accused a sum of Rupees 6-9-0, toward taxes (the land tax being 6-4-0 and shop tax 0-5-0) The accused gave him Exhibit P3 in his presence and signed it as per Exhibit P 3 (a). Subsequently the Police came and questioned the witness. He produced prosecution witness 3 before the Police. The contents of Exhibit P.3 were written, by the accused in his presence. The amount was paid to the accused for being credited to the Municipal funds. He added in cross examination that he had paid taxes to Ullangiah twice or thrice before. But he

30

he cannot remember these dates. The father of the witness is the Khathedar.

5. Prosecution witness 2, G. Sitaram is a Tax Inspector in the Municipality. He states that when he was the Shanbhogue of 1.A. Division for nearly 1½ years, when he was promoted as Tax Inspector he handed over charge of the Shanbhogue Office to the accused on 26-11-45. At that time he made out the charge Exhibit P2 It was signed by the accused as in Exhibit P2(a). The witness delivered khirdi Book Exhibit P1, one ordinary receipt book, one stamped receipt book, one baki patti and one hand book. All these are described in the charge list. The witness produced the charge list to the Sub Inspector during enquiry in the case. The witness seeing Exhibit P3 and the signature Exhibit P3 A states that it is the signature of the accused. He also testifies that the signature Exhibit P3(a) is the accused's signature. The witness also confirms that signatures exhibit P1(a) to Exhibit P1 (s) in Exhibit P1, are those of the accused. He proceeded to say that the daily collections of Municipal tax must be credited before 3 P.M. by the Shanbhogue who makes the collections, and collections made after 3 P M must be credited next day The collections made in the day are first entered in the khirdi book After making entries in the khirdi Book a challan is prepared by the Shanbhogue. The khirdi and the challan are then presented to the Accountant. The Shanbhogue gets his account checked by the Accountant, and then presents them to the Examiner. Then the Shanbhogue takes the challan and khirdi to the Treasury and presents it with the case The Officer in charge of the Treasurywill make a certificate in the Khirdi Book and put his signature and the seal of the Treasury in token of acknowledgement. The Khirdi is then handed over to the Shanbhogue The witness confirms that there is no entry in Exhibit P1 in respect of the amounts under receipt Exhibit P3 and Exhibit P4 He explained in cross exahimation that he was quite familiar with the handwriting of the accused and his signature and used to work with the witness in the same office.

21

6 Prosecution witness 4, D M Nagappa is a Tax Inspector, in the Municipality. He states that No.1 A. Division of the City is in his jurisdiction. He knows the accused He was the Municipal Shanbhogue 1 (A) Division, for 1½ months. In the end of November 1945 he joined service, as a Shanbhogue He had to collect Municipal taxes in 1(A) Division and had to remit daily the taxes collected to the Municipal Treasury In the first week of January 1946 without applying for leave the accused absented himself for duty without remitting the amounts, collected by him to the Treasury The witness went to his residence and made enquiries The witness was informed that the accused had gone to his native place He waited for 2 or 3 days and reported the matter to his Officer Mr. Chandulal For sometime the accused was not traced. After 6 or 7 months having learnt that the accused was serving as a School master in Dodbelavangala, he proceeded with the High Ground Police to that village where the accused was arrested. The witness added that the accused had left the Khirdi book in the Municipal Office The witness examined it and found entries upto 8-1-46 There was no remittance since 9-1-46 as per Exhibit P1 The entries from 27-11-45 upto 8-1-46 under the columns 1 to 7 are in the handwriting of the accused The signatures "M Ullangiah" are also in his signature The witness said that in respect of the house of one Aga Mahamed Taki some one had come and given the taxes in respect of that house The witness found that the amount had not been remitted to the Treasury. He called upon the parties to produce the receipt Exhibit P4 The office then dealt with the matter. Exhibit P4 is in the handwriting of the accused Exhibit P4(a) is the signature of the accused Exhibit P5 is one of the ordinary receipt books issued by the Municipality The signatures in Exhibit P5 "M Ullangiah" are all in the handwriting of the accused Writing in Exhbit P3 is in the handwriting of the accused Exhibit P3 (a) is the signature of the accused This amount is not remitted to the treasury Exhibit P5(a) also is the original of the receipt Exhibit P3 The entries in Exhibit (P5 (a) also bear the signature of "Ullangiah" The collections above Rupees 20/- are made on a separate stamped receipt book. The witness added that the signature "M Ullangah" in Exhibit P2 is of the accused The witness admitted in cross

cross examination that he went and secured Exhibit P4 for purposes of verification. He also added that Exhibit P5 and two other documents were recovered from the accused when the police searched his house

7. Prosecution witness 6, C.K Rangiah, Clerk, City Municipal Office, states that it is his duty to maintain in D.C.B.Accounts in the office According to Exhibit P3 a sum of Rupees 6-9-0 is collected and according to Exhibit P4 a sum of Rupees 170-10-0 He recognises the handwriting of the accused, and his signature in them. Those amounts are not remitted to the Municipal Treasury There are no corresponding entries in the leger maintained in the office.

8. Prosecution witness 8 R Chandoolal is the Revenue Officer, Bangalore City He confirms that the accused was entrusted with the duty of collecting taxes in 1(A) Division. The accused disappeared without giving a leave report in the midst of January and the fact was reported to him by prosecution witness 4 The witness requested the Malleswaram Police to help the Tax Inspector in tracing the accused and recovering the records. The witness was referred to the High Ground Police. The accused was subsequently traced in Doddaballapur. In the meanwhile the police produced certain records which are mentioned in Exhibit P6 The witness instructed the Tax Inspector to find out if the amounts collected had all been remitted Prosecution witness 4 reported to him that the said two sums had not been remitted. Thereupon the witness brought these facts to the notice of the Police in Exhibit P7 He also confirms that Exhibit P3 and 4 is in the handwriting of the accused and Exhibit P3(a) and Exhibit P4(a) are the signature of the accused. He also recognised the signature in Exhibit P2 as that of the accused. He confirms that the amounts under Exhibit P3 and Exhibit P4 are not brought on the khirdi. He recognised the signature in Exhibit PI (a) as those of the accused He also confirms that the signatures "M Ullangiah" in the receipt book Exhibit P5 are of the accused and the writing in it is in his handwriting. This receipt book had been entrusted to the accused to make collections There is another stamped receipt book that had also been entrusted to the accused The leaves in that receipt book are similar to Exhibit P4. That stamped receipt book could not be traced with the accused He admitted Exhibit P6 is not dated He also does not know when the documents were seized He admitted the notification was issued Exhibbit DI on his report to the Municipal Commissioner.

9. Chandrasekhariah, Prosecution witness 9 is a municipal Shanbhogue In 1946 he was the Shanbhogue of 1A Division and he states with the reference to the Baki Patti Exhibit P8 that a sum of Rs. 170-10-0 is still due in respect of the house of Mohamed Aga Thaki as per Exhibit P8 (a), On demanding the amount they said they had paid the amount similarly a sum of Rupees 6-9-0 was due under the Baki Patti from one Venkatappa.

10. Prosecution witness I, Venkataramiah is the Sub Inspector of

23

of Police, Doddabelavangala, Dodballapur Taluk He states that he arrested the accused on 17-6-1946. The Sub Inspector, High Grounds came to him and gave a requisition to arrest the accused and hand him over as he was concerned in this case.

11 Prosecution witness 11 N R Srikantiah, Sub Inspector, High Ground Police, states on 17-2-1946 he received Exhibit P7 from his Inspector and that he registered a case against the accused He examined several witness in the case, and looked into the relevant records of the Municipal office He satisfied himself that the amount in Exhibit P3 ~~the~~ and 4 had not been remitted to Treasury He added that the accused was absconding and that he was arrested on 17-6-1946 in Doddabelavangala

12 Prosecution witness 5, C H Krishna Singh, Sub Inspector of Police, High Ground Police Station took up the further investigation of the case from prosecution witness 11 He recovered Exhibit P3 from one Venkatappa He also went to the Municipal office and examined the registers After examining the witnesses he prosecuted the accused

13 The accused explained as follows He states that on 24-10-1947 he gave an application to the Revenue Officer. He demanded security and said that he would appoint him Shanbhogue if he furnished security The accused pleaded inability Then he was appointed a clerk in the office He worked there for a month. When the appointment ceased, the Revenue Officer called prosecution witness 4 Nagappa and asked him to take the accused along with him and get work done by him It was Nagappa that received the money. He used tto come to the office about 3 30 P M daily, and get the signature of the accused to the challan and khirdi book Till 8-1-46 he made him work The accused applied for 3 days leave and went home On 9th January prosecution witness 4 took away the books from the house where the accused was messing when the accused returned after 3 days, they told him he was not wanted So the accused went home 9 months later he was arrested The accused added that he had not issued the receipts concerned in this case and that he was innocent. He had already pleaded not guilty to the charge He examined 1 witness in his behalf He is one Mariyappa, a carpenter in Malleswaram He states that the accused was messing in his house over a year ago for about a month or 20 days He knows prosecution witness 4 Nagappa and one Narasimhiah They used to come occassionally to see the accused The accused once went to his place The said two persons asked the witness to give the records kept by him He gave them 4 or 5 books accordingly Two of them were like Exhibit P5 One of them contained a red stamp with "Gandabherunda" He said that the police never came to his house He admitted in cross examination that the accused is a his caste man and that his father was acquainted with the father of the accused The accused and his brother often visited his house before the accused came to stay with him The accused had not asked him to deliver the books He did not obtain any receipts for having handed over the books

The charges framed against the accused are as follows -

1) That you, on the 8th day of January 1946, in the noon, being employed as Shanbhogue of 1 A Division by the City Municipality, Bangalore City and in that capacity received a sum of Rupees 170-0-0 tendered by prosecution witness 4 Mr. Shiraji on behalf of Mrs Thaki, being the Municipal tax in respect of Door No.13, Race Course Road, for the year 1944-45 and 45-46 issued valid stamped receipt P4 under your signature therefore and committed criminal breach of trust with respect of the said amount of Rs. 170-10-0 entrusted to you and thereby committed an offence punishable under Section 409 I.P.C and within my cognizance.

2) That you, on the 11th day of January 46, at about 10 A M being employed as Shanbhogue of 1 A Division by the Bangalore City Municipality and in such capacity received a sum of Rupees 6-9-0 tendered by prosecution witness 6, Venkatappa, being the Municipal tax from door No 146 Anjaneya Temple Street, Munireddipalyam as one for the half year 43-44 issued valid receipt P6 to the said Venkatappa under your signature the same day therefor and committed criminal breach of trust and thereby committed an offence under 409 I P.C and within my cognizance

The point for consideration now is whether the charges are brought home to the accused. In the first place Exhibit P3 and Exhibipt P4 are printed receipt forms which are supplied by the Municipality Several witnesses, prosecution witnesses,2,4, 6 and 8 who are quite familiar with the handwriting of the accused have sworn that the signatures Exhibit P3(a) and (4)(a) are those of the accused It is also borne out from the testimoney of prosecution witness 2 and other witnesses that the writing in Exhibit P3 and P4 are in the handwriting of the accused Prosecution witness 10 Venkatappa swears that the accused wrote Exhibit P3 That the accused came into the possession of receipt books One Exhibit P5 and another stamped receipt book is proved by the evidence of prosecution witness 2 who has obtained an acknowledgement from the accused in Exhibit P2 (item 2 and 3) It is no doubt ~~that~~ true that the contents of P2 were written by prosecution witness 2, but is was signed by the accused who knows english and can understand the contents of the documents Prosecution witness 10 Venka tappa who is indipendent man of same status has sworn before me that he gave a sum of Rupees 6-9-0 into the hands of the accused and that the accused issued the receipt Exhibit P3 after writing the ~~contents~~ contents of that document and signing it That it is genuine is also reinforced by the fact that its counterfoil is found in Exhibit P5 (a) Again prosecution witness 3 has stated that he gave a sum of Rupees 170-10-0 in the office of the Municipal Commissioner and that he obtained the receipt Doubtless on account of old age he was not able to recognise the person to whome he paid the money But he states that he took the receipt and gave it to Mrs Thaki and prosecution witness 4 state that he recovered it from her for verification Scrutiny of the receipt Exhibit P4 leaves no doubt in my mind that it is written by the accused and signed by the accused In these circumstances a safe presumption can be raised that it was the accused that received the money from prosecution witness 3 and issued ~~it~~ Exhibit P4 Now the amount collected by the accused from prosecution witness 3 and prosecution witness 4 were collected as taxe

85

taxes and they were moneys entrusted to him for being credited to the Municipal funds It is evident from the evidence of prosecution witness 6, 4 and 8 that the amounts have not been so credited at all. The khirdi Exhibit PI bears no corresponding entry to Exhibit P3 and P4 On the other hand what is the defence of the accused? He states that he left Bangalore on 8-1-1946 thereby indicating that neither Exhibit P3 dated 11-1-46 nor Exhibit P4 dated 8-1-46 were issued by him But as I have already stated above there is no reason to suspect that they are not genuine or that handwriting and signature have been forged The accused has tried to explain that as he had not furnished security, it was the Tax Inspector, prosecution witness 4 that was receiving moneys and crediting them into the treasury. Thereby suggesting that the accused was not responsible for the amounts collected This certainly cannot be believed The Tax Inspector of the Municipality is a supervising officer over several Shanbhogues and there is no reason to think that he would work for the accused and do his normal work collecting the taxes from door to door There was no particular reason why why this Revenue Officer should saddle prosecution witness 4 with this work, merely because the accused was not able to furnish security. The accused is quite an intelligent man and according to his own statement one who worked in the Municipal office is a clerk for some time He was quite familiar with the procedure of remitting the money to the treasury He would certainly not sign blindly the receipts produced by prosecution witness 4

The defence have in a manner sought to show, that documents Exhibit PI and the receipt books were recovered by prosecution witness 4 and not by the police I have no reason to disbelieve the statement of prosecution witness 8 that the police recovered the documents and even if the recovery was in a manner informal this does not materially alter the situation One other point which the defence made out is that the Municipal notification Exhibit DI (a) declared that the tax receipt book bearing number 6517 was reported to be lost The notification was issued on 8-2-46 But this does not in my opinion amount to an admission by the Municipality that the accused was not entrusted with the receipt book. No doubt the Municipality should have taken care to notify the circumstances in which it was missing more precisely but the notification is not inconsistant with the position of its loss on an entrustment to the accused. It is issued as a warning to the public not to recognise it. The defence witness Mariappa is an interested witness. His evidence is quite unbelievable and it seeks merely to reinforce the laboured explanation of the accused He stated that prosecution witness 4 took the documents from the house, 3 days after the accused left, but the accused says that prosecution witness 4 took the documents on 9-1-46, i.e , the day after he left Bangalore According to the accused he returned and deserves no credence It cannot be believed that he would surrender the books belong to the accused without so much as asking for a receipt from prosecution witness 4 while delivering Government Documents The implied suggestion that prosecution witness 4 might that have used the leaves Exhibit P3 and 4 and collected the money is

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is utterly unworthy of belief I have no reason to suspect the veracity or honesty of prosecution witness 4 I have therefore come to the conclusion that the accused did receive the sum of money mentioned therein under Exhibit P4 namely 170-10-0 from prosecution witness 3 and that he received a sum of Rupees 6-9-0 from prosecution witness 10 and gave the receipts Exhibit P3 and P4 I have also come to the conclusion that being entrusted with the work of collecting taxes on behalf of the Municipality he received the money in that capacity. He was a public servant namely a Shanbhogue working under the Municipality. Being entrusted with that money for purposes of crediting to Municipal funds he failed to do so and dishonestly converted it to his own use This act was in violation of the direction of law prescribing the mode in which the such trust is to be discharged In these circumstances, I consider that the offences under Section 409 I P C for which he has been charged I, therefore convict him under section 258 (2) Cr P C of an offence under Section 409 I P C in respect of both the first and the second charge I sentence him to undergo simple imprisonment for 15 days and to pay a fine of Rupees 50/- and in default of payment of fine to undergo simple imprisonment for a further period of 15 days in respect of the first charge under Section 409 I P C I sentence him secondly to undergo simple imprisonment for 15 days and to pay a fine of Rs. 50/- and in default of payment of fine to undergo simple imprisonment for 15 days in respect of the second charge under Section 409 I P C Both sentences to run consecutively

Dictated to the stenographer and pronounced in open court

Sd/- K Seshagiri Rao,
City Magistrate,
Bangalore
22/3/48

"Copy"
By Order.
Sd/- x x x
Head Clerk 11/7/49

Copy
N R Nanjundaiah
Manager R C

"Copy"
D. R. Nanjundaiah
COMMISSIONER

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

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READ -

Correspondence ending with letter No A1 55-56 dated 30-1-56 ~~dated~~ from the Commissioner, C C B reporting that Sri M Ullangiah, Shanbhogue of the Corporation has misappropriated municipal money amounting to Rs 177-3-0 which has been subsequently recovered in monthly instalment, that as a result of the prosecution launched against him in the Court of the City Magistrate, Bangalore, he was sentenced to undergo simple imprisonment of fifteen days and to pay a fine of Rs 50/- and that he is now working in the Basic Training School, Vidyanagara, Bangalore District, after having undergone imprisonment

2 Correspondence ending with Un-official Note No 142/5~~8~~-55~~/222~~ dated 20-5-1955 from the Director of Public Instructions in Mysore, Bangalore in the matter

3 Correspondence ending with the Un-official Note No 349/55-56/PSC 26-55-120 dated 20-3-56 from the Secretary, Public Service Commission, furnishing the opinion of the Commission as noted below -

"The commission is of opinion that, as Sri Ullangiah has been convicted in a criminal case, he is not fit to be continued in service and that his service may be terminated forthwith "

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ORDER NO L 3097-111/CM 78-55-4

Dated, Bangalore, the 14-5-56

18

After examining the case in detail, Government agree with the opinion of the Public Service Commission and ~~they~~ direct that Sri Ullangiah who is now working as a Master in the Basic School, Bandahodigehalli, Devanahalli Taluk, is not fit to be continued in service, as he has been convicted in a criminal case, and therefore

82

his services may be terminated forthwith.

for Secretary to Government,
Education & L S G Departments

To

The Director of Public Instruction in Mysore, Bangalore,
" Commissioner, Corporation of the City of Bangalore thro' Mayor
" Secretary, P S C thro' Education Sectt
" District Educational Officer, City District, Bangalore.
"

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